

## REMARKS/ARGUMENTS

### **CLAIM AMENDMENTS**

Claim 1 is pending in the present application. Claims 2-40 are canceled and claim 1 is amended. Applicant notes that although the claims are modified, Applicant does not surrender the subject matter of prior versions of the claims nor any subject matter disclosed in the Application. Support for the amendments to claim 1 may be found at least in the portions of the Application identified in the emboldened parentheticals below, which do not limit the subject matter of the claim:

1. (Currently amended) A method for displaying a web page on a display screen comprising:

accessing the web page through a proxy using a uniform resource locator by a user; **(claim 10 and Specification [0035])**

determining if the size of a web page is larger than a display screen; and  
~~responsive to a determination that the web page is not larger than the display screen, displaying the web page unmodified on the display screen; and~~

responsive to a determination that the web page is larger than the display screen, performing steps comprising:

creating a web page bitmap image from a first web page displayed on a browser;

analyzing a HTML code for the first web page;

dividing the web page bitmap image into a plurality of fragments including a first web page bitmap image fragment and a second web page bitmap image fragment; and

displaying the first web page bit map image fragment on the display screen; and **[.]**

responsive to a request for a second web page bit map image fragment, sending the second web page bit map image fragment to the hand held display device; **(claim 11)**

wherein the proxy sends only one fragment to the hand held display device; and **(claim 10)**

wherein the proxy creates a unique identifier for the web page bitmap image that identifies the user with the web page bitmap image and that includes a time, to a nanosecond, that the user requested the web page. **(claim 12 and Specification [0048])**

No new matter is entered. Reconsideration of the claims is respectfully requested.

### ISSUES

Claims 1, 3-9, and 12-13 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. US 6,941,382 B1 (herein Tuli\_A). Final Office Action pp. 3-6.

Claims 27, 30-36, and 39-40 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. US 6,941,382 B1 (herein Tuli\_A) in view of U.S. Patent Application Publication No. US2003/0016253 A1 (herein Aoki) and U.S. Patent Application Publication No. US 2001/0028470 A1 (herein Tuli\_B). Final Office Action pp. 6-11.

Claims 10-11 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. US 6,941,382 B1 (herein Tuli\_A) in view of U.S. Patent Application Publication No. US 2001/0028470 A1 (herein Tuli\_B). Final Office Action p.11.

### First Ground of Rejection

Claims 1, 3-9, and 12-13 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. US 6,941,382 B1 (herein Tuli\_A). Final Office Action pp. 3-6.

In rejecting claims under 35 U.S.C. § 103, it is incumbent upon the Examiner to establish a factual basis to support the legal conclusion of obviousness. *See In re Fine*, 837 F.2d 1071, 1073, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). In so doing, the Examiner must make the factual determinations set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (1966), *viz.*, (1) the scope and content of the prior art; (2) the differences between the prior art and the claims at issue; and (3) the level of ordinary skill in the art. “[T]he examiner bears the initial burden, on review of the prior art or on any other ground, of presenting a *prima facie* case of unpatentability.” *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). Furthermore, “‘there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness’ . . . . [H]owever, the analysis need not seek out precise teachings directed to the specific subject matter of the challenged claim, for a court can take account of the inferences and creative steps that a person of ordinary skill in the art would employ.” *KSR Int’l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741, 82 USPQ2d 1385, 1396 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)). Obviousness is then determined on the basis of the evidence as a whole and the relative persuasiveness of the arguments. *See Oetiker*, 977 F.2d at 1445, 24 USPQ2d at 1444; *Piasecki*, 745 F.2d at 1472, 223 USPQ at 788.

### **Claim 1**

Claim 1 recites “wherein the proxy creates a unique identifier for the web page bitmap image that identifies the user with the web page bitmap image and includes the time, to a nanosecond, that the user requested the web page.” The Examiner interpreted a URL associated with Tuli\_A’s web page as meeting the claim’s “unique identifier.” Final Office Action p.6 (rejecting similar features from claim 12).

Applicant believes these limitations are outside the scope of the cited art at least because the cited art is silent to:

“the proxy creates a unique identifier for the web page bitmap image”;

“a unique identifier ... that identifies the user with the web page bitmap image”;

and

“a unique identifier ... that ... includes a time, to a nanosecond, that the user requested the web page.”

Even if a URL met the claim’s “unique identifier for the web page bitmap image,” *arguendo*, the cited art is silent to a URL identifying a user with an image of a web page and the cited art is silent to a URL including a time, to a nanosecond, that a user requests a page. Hence, the claims limitations of “wherein the proxy creates a unique identifier for the web page bitmap image that identifies the user with the web page bitmap image and includes the time, to a nanosecond, that the user requested the web page” are outside the scope of the cited art.

### **Second Ground of Rejection**

Claims 27, 30-36, and 39-40 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. US 6,941,382 B1 (herein Tuli\_A) in view of U.S. Patent Application Publication No. US2003/0016253 A1 (herein Aoki) and U.S. Patent Application Publication No. US 2001/0028470 A1 (herein Tuli\_B). Final Office Action pp. 6-11. Claims 27, 30-36, and 39-40 are canceled. Therefore, the rejection is moot.

### **Third Ground of Rejection**

Claims 10-11 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. US 6,941,382 B1 (herein Tuli\_A) in view of U.S. Patent Application Publication No. US 2001/0028470 A1 (herein Tuli\_B). Final Office Action p.11. Claims 10-11 are canceled. Therefore, the rejection is moot.

### **Conclusion**

It is respectfully urged that the subject application is patentable over Tuli\_A, Aoki and Tuli\_B and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: August 22, 2008

Respectfully submitted,

/Rudolf O. Siegesmund/

Rudolf O. Siegesmund  
Reg. No. 37,720  
Yee & Associates, P.C.  
P.O. Box 802333  
Dallas, TX 75380  
(972) 385-8777  
Attorney for Applicants